

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

PC CONNECTION, INC.,)	
d/b/a CONNECTION)	
)	
Plaintiff,)	
)	
v.)	
)	
PETER SILLICH)	
)	
Defendant)	
)	

CIVIL ACTION NO.:

DEFENDANT’S NOTICE OF REMOVAL OF CIVIL ACTION

Defendant Peter Sillich, by and through his undersigned counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, respectfully notices the removal of the captioned action to the United States District Court for the District of New Hampshire from the Superior Court of the State of New Hampshire, County of Hillsborough, Northern District. The grounds for removal are as follows:

1. Upon information and belief, on or about November 1, 2022 Plaintiff filed a Verified Complaint for Preliminary and Permanent Injunctive Relief and Damages (the “Complaint”) in the Superior Court of the State of New Hampshire, County of Hillsborough, Northern District (the “State Court”), naming Peter Sillich as the Defendant (the “State Court Action”). Peter Sillich first received an e-mail copy of the Complaint on November 9, 2022. Accordingly, this Notice of Removal, filed within the thirty-day period prescribed by 28 U.S.C. § 1446(b)(1), is timely.

2. Upon information and belief, on or about November 1, 2022 Plaintiff filed a Motion to Seal Verified Complaint for Preliminary and Permanent Injunctive Relief and Damages (the “Plaintiff’s Motion to Seal”). The Plaintiff’s Motion to Seal was granted by the

State Court on November 2, 2022. A copy of the redacted Complaint and Plaintiff's Motion to Seal (excepting Exhibit 1 of Plaintiff's Motion to Seal, which consists of an unredacted copy of the Complaint), is attached as **Exhibit A** in accordance with 28 U.S.C. § 1446(a). Peter Sillich will conventionally file a copy of the unredacted Complaint under seal on a data storage device, pursuant to Administrative Procedure for Electronic Case Filing 3.3. Furthermore, to honor the State Court's November 2, 2022 Order granting Plaintiff's Motion to Seal, Peter Sillich is concurrently filing a Motion to Seal at Level 1 Plaintiff's unredacted Complaint.

3. The State Court Action is subject to removal pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1332 (diversity jurisdiction). In this civil action, Peter Sillich avers that the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and there is complete diversity of citizenship between Plaintiff and Defendant.

THE PARTIES

4. Plaintiff was at the time the State Court Action was commenced, and currently is, a Delaware corporation with, on information and belief, a principal place of business in Merrimack, New Hampshire.

5. Peter Sillich was at the time the State Court Action was commenced, and currently is, a South Carolina resident.

THE STATE COURT ACTION

6. Plaintiff alleges in its Complaint that Peter Sillich has violated covenants restricting competition and solicitation. Plaintiff seeks declaratory relief, preliminary and permanent injunctive relief, and damages for breach of contract.

THIS COURT'S REMOVAL JURISDICTION

7. This case falls within this Court's diversity of citizenship jurisdiction under 28 U.S.C. § 1332. Plaintiff is a citizen of the State of Delaware and the State of New Hampshire. Defendant is a citizen of the State of South Carolina. Based on the Plaintiff's representations of irreparable harm, there is an amount in excess of \$75,000.00 in controversy.

8. The timing requirements of 28 U.S.C. have been satisfied in that this Notice of Removal has been filed with this Court within thirty (30) days after receipt of the Complaint by Peter Sillich. Accordingly, the time for filing this Notice of Removal has not expired under 28 U.S.C. § 1446(b)(1).

9. The United States District Court for the District of New Hampshire is the appropriate court to which this action should be removed because this district is the district embracing actions filed in the Superior Court of the State of New Hampshire, County of Hillsborough, Northern District.

10. A true and correct copy of this Notice of Removal is being served upon Plaintiff as required by 28 U.S.C. § 1446(d).

11. A true and correct copy of this Notice of Removal is also being filed promptly with the Clerk of the Superior Court of the State of New Hampshire, County of Hillsborough, Northern District, in accordance with 28 U.S.C. § 1446(d).

12. Pursuant to Local Rule 81.1, Peter Sillich will file a certified or attested copy of the state court record within fourteen (14) days of the filing of this Notice of Removal.

WHEREFORE, Peter Sillich respectfully removes this action from the Superior Court of the State of New Hampshire, County of Hillsborough, Northern District, to the United States District Court for the District of New Hampshire.

Respectfully Submitted,

PETER SILlich

By its attorneys,

SHEEHAN PHINNEY BASS & GREEN, PA

Dated: November 18, 2022

/s/ Michael J. Lambert

Michael J. Lambert, N.H. Bar No. 11310

Sheehan Phinney Bass & Green, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of November, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. A copy of the foregoing has also been sent electronically to Plaintiff's counsel of record at:

Christopher H.M. Carter, Esq.
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/s/ Michael J. Lambert

Michael J. Lambert